

Thurs

Class system

Florence, Wash Post 22 Feb 72

Misrepresentation of espionage laws:
that disclosing class. info. to unauth.
person is a crime [But, "does" ?] — applies only if
there is intent to injure the US

[Law should also define "national defense
data" — narrowly.] Stop falsifying the law.

[Add: ^{3) add} qualification in briefing:
does not apply to crime, deception, etc.]

(b) Brief correctly on law.

(Congress reviews briefing;
test security officers.)

(c) Procedure for ~~to~~ referring evidence
of crime...

(d) Procedure for appraising class.

(Not just Espie.).

§ Was I using better judgment + discretion
— the sort expected of me as a public servant — when
I concealed this info, like other officials? So blind
obedience to Regs. — even despite constant violation, unpunished (!)
my own responsibility to follow others?

Was it that that my ancestors — and
yours — came to this country?

England has O.S.A. — which Exe
wants — and doesn't have a 1st
Amendment, or with Const — which
is why we fought a Rev.

NVC want O.S.A. — to cover

Consider risks of alternatives.

Why we did fight to free ourselves
from a King and court? Were we
wrong? See Poins on "courts."

News magazine to take us into a
war [is potentially the most evil act
a gov can perform.]

Proposed NVC draft option: omit
require that disclosure to be considered
criminal, not be "to a foreign agent."

On NSC draft

Info is not classified in order to
conceal inefficiency or error, embarrassment,
etc. but to ~~conceal~~ safeguard
info that might become embarrassing;
it is kept classified, later, because
embarrassing... [or might become, later.]

Draft: class info that "reasonably could
be expected to result in damage to the
nation..."

[On balance? any damage?

What if damage if not revealing

(a) specific info

(b) info in general

conflict between peoples' interest in info
and "equally essential for gov to protect..."

[Not for E to decide — that is
an elected King.]

Defense opposes 30-year rule for
all info

[Law: some info about past
relations with foreign gov — e.g. assass —
could hurt ~~the~~ current relations 50 years
later, if released then but...]

("contingency plans from 1920's... unacceptable from

Flower: illegal censorship

a foreign relations standpoint.

DOD:

TS — disclosure could cause and hostilities
against US.

What if impartial disclosure right
was not be expected to end hostilities
by + against US?

NSC/DOD: "Rights of gov (=) rights
of citizens."

"Spec

[Powers of gov are limited by

Courts, by Bill of Rights, & by checks & balances;

Spec alone is not to decide between rights of
citizens and of gov.

What N Ashin wants to do is to
extend concept of "rights" from
individual to Expe branch

[even "rights of Expe" w.r.t. Congress,
cont.]

just as courts extended concept of
rights (14th Amend: freedom from
reg., without "due process"?) to
corporations.

NSC: ³ danger is that dissemination will enough
to make "even a small part of an citizenry"
"all reach foreign ears as well."

That is the risk of discovery :
the fun of govt on DOD is supposed to
protect.

[Has Expe/DOD worked a slow,
quiet, comp?] [What is our greatest
source of internal danger, of subversion,
of "overthrow of the govt" - of force - abroad
(+ prison, draft) + fraud.

~~On days~~

What do greatest dangers.

- to our freedom, our form of gov

- lives of our sons

- national survival (WWIII)

come from? A foreign action — or our
own Expt?

Note def. of TS:

What if (continued) concealment of info
could cause "exceptionally grave damage"
to nation — such as war; armed attack
by us, or upon our invading troops, etc...
change of gov

(Past concealment has caused
grave damage...)

~~What~~

[What "class." should there be for info
that "must be revealed in public not
lean ["Flash..."]; to avoid...]

the "effectiveness" of
Should, criminal policies be protected?

[Note effect of depriving RAND of
NIE's in 1958.]

[Note responsibility created for me by
knowledge that class. rules were
habitually violated, for my purposes...
How could I justify...

I may have misled public — as I
was misled — by my early statements of
expectation to go to jail...

Charges now of violating Espionage Act
are a flat misrep. of that act — when

[CN: No; not quite — usually does to
at least one person]

Protection for indefinite period:

Att. I

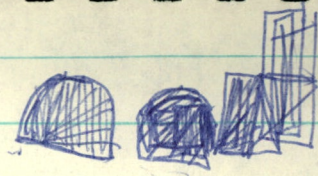
~ info would seriously impair the effective
formulation & conduct of major elements of
US foreign policy

[What if security system corrupts
the process of formulation & conduct? see PP.]

Info revealing embarrassment or infirmity, etc.
is not may not to be concealed for that
reason — it is especially needed to be
revealed (see Black)

Rule: Can't discuss class. data
over telephone!

[FBI agent may not be
authorized to receive it.]



De

1. List all DOD/contract-related people from 1988. Which can testify to "related to national defense."

City to read in words: current
strategic (?)
significant

Morse, Herring; Cranston
No even list of GFR —
who supported Bakt?
B Budy

PP as NV-CD

1. Still problem of "lesser evil"

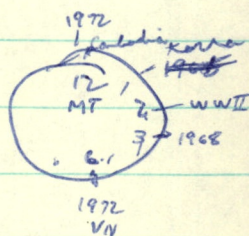
— is absence of approval procedure for
Testing class. (not Expe-controlled)
or opposing crimes.

Officials should not have to face dilemmas,
as now, of my sort;

meanwhile, they should not all resolve
this in favor of concedent.

2. If there was a law protecting these lies &
crimes from the public,

3. all MT...



2. once upon a time (1965)
h. birds + shells

Turdus million tons ago... "I want to

VN... [Fashion measure comparable to

light-year: tonnage equivalent

1965 was 12 MT ago: like light-year

Private Nkr - esp feelings of responsibility

Assembly
Tagerstall

DD - "betrayed"
Chicago Art